C1 both the inner solid particulate phase and the outer solid continuous phase is within the range from about 25 to about 75% by weight of the pharmaceutical formulation. --

C2 37. (Amended) The pharmaceutical formulation as defined in Claim 1 wherein the total extended release material content in both the inner solid particulate phase and the outer solid continuous phase is within the range from about 30 to about 65% by weight of the pharmaceutical formulation. --

C3 40. (Amended) The pharmaceutical formulation as defined in Claim 1 wherein the total extended release material content in both the inner solid particulate phase and the outer solid continuous phase is within the range from about 35 to about 60% by weight of the pharmaceutical formulation. --

C4 17. (Amended) The pharmaceutical formulation as defined in Claim I wherein the extended release material present in the inner solid particulate phase comprises one or more hydrophilic polymers, and/or one or more hydrophobic polymers and/or one or more other hydrophobic materials; and the extended release material in the outer solid continuous phase comprises one or more hydrophilic polymers, and/or one or more hydrophobic polymers and/or one or more other hydrophobic materials. --

C5 24. (Amended) The pharmaceutical formulation as defined in Claim I further comprising another antihyperglycemic agent and/or a hypolipidemic agent. --

C6 25. (Amended) The pharmaceutical formulation as defined in Claim 26 wherein the hypolipidemic agent is an MTP inhibitor, a squalene synthetase inhibitor, an HMG CoA reductase inhibitor, a fibric acid derivative, an ACAT inhibitor, a cholesterol absorption inhibitor, an ileal Na^{+}/bile cotransporter inhibitor, a bile acid sequestrant and/or nicotinic acid or a derivative thereof.--

C7 30. (Twice Amended) A pharmaceutical formulation comprising (I) an inner solid particulate phase, and (2) an outer solid continuous phase in which particles of the inner solid particulate phase are dispersed and embedded, the particles of the inner solid particulate phase comprising (a) metformin or a pharmaceutically acceptable salt thereof; and (b) an extended release material, and the outer solid continuous phase comprising an extended release material, wherein the extended release material present in the inner solid particulate phase is different from

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the extended release material present in the outer solid continuous phase and wherein the total extended release material content in both the inner solid particulate phase and the outer solid continuous phase is within the range from about 25 to about 75% by weight of the pharmaceutical formulation. --

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~~41~~. (Amended) The pharmaceutical formulation as defined in Claim ~~43~~ wherein the extended release material present in the inner solid particulate phase comprises one or more hydrophilic polymers, and/or one or more hydrophobic polymers and/or one or more other hydrophobic materials; and the extended release material in the outer solid continuous phase comprises one or more hydrophilic polymers, and/or one or more hydrophobic polymers and/or one or more other hydrophobic materials. --

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~~46~~. (Twice Amended) The pharmaceutical formulation as defined in Claim ~~43~~ further comprising another antihyperglycemic agent and/or a hypolipidemic agent.

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~~48~~. (Amended) The pharmaceutical formulation as defined in Claim ~~59~~ wherein the hypolipidemic agent is an MTP inhibitor, a squalene synthetase inhibitor, an HMG CoA reductase inhibitor, a fibric acid derivative, an ACAT inhibitor, a cholesterol absorption inhibitor, an ileal Na^{+}/bile cotransporter inhibitor, a bile acid sequestrant and/or nicotinic acid or a derivative thereof.--

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REMARKS

This Supplemental Amendment is being filed as discussed in a telephone call with Examiner Spear on March 19, 2002, and further in response to the Final Rejection mailed January 16, 2002, in this application. Applicants believe that these amendments place the application into condition for allowance as discussed with the Examiner.

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